

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
TIME INC., HEARST CORPORATION, ADVANCE :
MAGAZINE PUBLISHERS INC., AMERICAN :
MEDIA, INC., HACHETTE FILIPACCHI MEDIA :
U.S., INC., THE MCGRAW-HILL COMPANIES, :
INC., NEWSWEEK, INC., SOURCE INTERLINK :
MAGAZINES, LLC, REED BUSINESS :
INFORMATION, A DIVISION OF REED :
ELSEVIER INC., VARIETY, INC., REED :
ELSEVIER PROPERTIES INC., BONNIER :
CORPORATION, ZIFF DAVIS PUBLISHING :
HOLDINGS INC., FORBES LLC, REIMAN MEDIA :
GROUP, INC., RD LARGE EDITION, INC., HOME :
SERVICE PUBLICATIONS, INC. and READER'S :
DIGEST LATINOAMERICA SA, :
:

Plaintiffs,

- against -

DARREN ANDREW BUDD, SALVEO LIMITED, :
CYBERNET COMMUNICATIONS, INC., :
SWITCHWORKS TECHNOLOGIES, INC.; :
HAMIDULLA GHUMAL ABBAS, YOAV :
SCHWARTZ, RICK ROSS and JOHN DOES 1-20, :
:

Defendants. :
----- X

08 Civ. 7392 (WHP)
ECF CASE

**DECLARATION OF SHIRIN MALKANI IN SUPPORT OF PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, SHIRIN MALKANI, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the General Counsel of Ziff Davis Publishing Holdings Inc. ("Ziff Davis"), one of the plaintiffs in the within infringement action. I am fully familiar with the facts stated herein. I submit this declaration in support of plaintiffs' motion for a temporary restraining order and preliminary injunction enjoining and restraining defendants Darren Andrew Budd ("Budd"), Salveo Limited ("Salveo"), Cybernet Communications, Inc. ("Cybernet"), Switchworks Technologies, Inc. ("Switchworks"), Hamidulla Ghumal Abbas ("Abbas"), Yoav

Schwartz (“Schwartz”), Rick Ross (“Ross”) and John Does 1-20 (collectively, “defendants”) from infringing plaintiffs’ copyrights, trademarks and trade dress.

2. Ziff Davis is a Delaware corporation with its principal place of business at 28 East 28th Street, New York, NY 10016.

3. Ziff Davis owns and publishes several well known magazines, including: *PC Magazine* and *Electronic Gaming Monthly*. *PC Magazine* and *Electronic Gaming Monthly* are distributed throughout the United States (including in New York) as well as in Canada, Australia, France, Germany and over 150 other countries. Ziff Davis also licenses foreign editions of *PC Magazine* and *Electronic Gaming Monthly* for publication and distribution in over 25 countries, including Brazil, China, Mexico, Russia, Spain, Thailand and Turkey.

4. Ziff Davis’ practice with regard to registering copyrights on these magazines generally is to file applications with the United States Copyright Office when Ziff Davis becomes aware of potential litigation related to such magazines.

5. The purpose of this declaration is to set forth factual information and exhibits relevant to this injunction motion.

Mygazines.com Is Infringing Ziff Davis’ Copyrights and Trademarks

6. I first became aware of the Mygazines.com website on or about July 23, 2008, at which time the website appeared to be fully populated with uniform, high-quality magazines. Without Ziff Davis’ knowledge, consent or authorization, Mygazines.com was displaying full text reproductions of numerous magazines owned and published by Ziff Davis.

7. Specifically, the full text of the following magazines owned and published by Ziff Davis are being displayed by defendants on the Mygazines.com website without our consent:

(a) *PC Magazine*, issue February 2008. Ziff Davis has applied to the Copyright Office for registration of *Electronic Gaming Monthly*, issue February 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office soon. A copy of the application for registration is annexed hereto as part of Exhibit A.

(b) *PC Magazine*, issue July 2008. Ziff Davis has applied to the Copyright Office for expedited group registration of *PC Magazine*, issues July, August and September 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office within the next few days. A copy of the application for expedited registration is annexed hereto as part of Exhibit A.

(c) *PC Magazine*, issue August 2008. Ziff Davis has applied to the Copyright Office for expedited group registration of *PC Magazine*, issues July, August and September 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office within the next few days. A copy of the application for expedited registration is annexed hereto as part of Exhibit A.

(d) *PC Magazine*, issue September 2008. Ziff Davis has applied to the Copyright Office for expedited group registration of *PC Magazine*, issues July, August and September 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office within the next few days. A copy of the application for expedited registration is annexed hereto as part of Exhibit A.

(e) *Electronic Gaming Monthly*, issue June 2008. Ziff Davis has applied to the Copyright Office for registration of *Electronic Gaming Monthly*, issue June 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office soon. A copy of the application for registration is annexed hereto as part of Exhibit A.

(f) *Electronic Gaming Monthly*, issue July 2008. Ziff Davis has applied to the Copyright Office for expedited group registration of *Electronic Gaming Monthly*, issues July, August and September 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office within the next few days. A copy of the application for expedited registration is annexed hereto as part of Exhibit A.

(g) *Electronic Gaming Monthly*, issue August 2008. Ziff Davis has applied to the Copyright Office for expedited group registration of *Electronic Gaming Monthly*, issues July, August and September 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office within the next few days. A copy of the application for expedited registration is annexed hereto as part of Exhibit A.

(h) *Electronic Gaming Monthly*, issue September 2008. Ziff Davis has applied to the Copyright Office for expedited group registration of *Electronic Gaming Monthly*, issues July, August and September 2008, on August 13, 2008 and expects for the application to be approved by the Copyright Office within the next few days. A copy of the application for expedited registration is annexed hereto as part of Exhibit A.

8. Ziff Davis also owns trademark rights in the titles of its magazines. Specifically, Ziff Davis holds the following trademark registrations for its magazines:

(a) *PC MAGAZINE* is registrations 2590967, 1515365 and 1894061, all in International Class 16 for print publications; and

(b) *ELECTRONIC GAMING MONTHLY* is registration 2406497 in International Classes 41 and 42 for interactive entertainment, computer services, on-line articles and registration 2597416 in International Class 16 for print publications.

9. Ziff Davis has made extensive use of the trademark *PC Magazine* in connection with technology-related print and online magazines since 1987. As a leading technology publication in the world for more than 20 years, *PC Magazine* brand has extended to include awards such as the *PC Magazine Editors' Choice Award*, the *PC Magazine Readers' Choice Awards* and *The PC Magazine Awards for Technical Excellence*, all of which continue the Ziff Davis legacy of recognizing the products, services, and industry leaders that have advanced the computing industry. Ziff Davis's *Electronic Gaming Monthly* trademark has been in use in connection with video game-related print and online magazines since 1995. The *Electronic Gaming Monthly* name is one of the most well-known in the industry. Along with the other segments that comprise the Ziff Davis 1UP Network, *Electronic Gaming Monthly* reaches 22 million gamers worldwide.

10. Ziff Davis is the owner of common law trademark rights in its magazine titles as well, based on its use of its marks in commerce over the period of many years, and the wide recognition of those marks by consumers as an indicator of the source of Ziff Davis's products.

11. In addition, Ziff Davis has rights to the trade dress of its magazines. Each magazine has a distinctive cover with a stylized logo that functions as a source indicator to consumers, and is non-functional. Mygazines.com displays the cover of *PC Magazine*, and *Electronic Gaming Monthly* on the website, infringing Ziff Davis's trade dress in those covers.

12. Ziff Davis has not authorized or licensed defendants to post any content from its magazines on the Mygazines.com website.

13. Indeed, Ziff Davis operates a web site for each of its titles, and offers some of the content available in the print editions of its magazines through those sites. Ziff Davis earns revenue from its websites by, among other things, offering advertising space to advertisers in conjunction with Ziff Davis's content. By offering the same content to consumers on its site, for free, Mygazines.com directly competes with Ziff Davis's websites.

14. Ziff Davis also offers digital editions of its magazines for sale through online partners such as Zinio.com. At Zinio.com, consumers may view, for a fee, digital editions of Ziff Davis' magazines, in much the same format as is offered by Mygazines.com. For this reason, Mygazines.com also competes directly with Ziff Davis' digital publications offered through its online partners.

Ziff Davis Gave Defendants Notice of Their Infringing Activity

15. On July 25, 2008, Ziff Davis' Director of Intellectual Property, wrote to defendant Salveo, the registered owner of Mygazines.com, at the email address listed on the defendant's website and at the email addresses listed on its domain registration, demanding that it cease and desist from providing Ziff Davis' works to the public, in any form. On July 31, 2008, Ziff Davis' Director of Intellectual Property sent a third email to an address listed on a press release issued by the defendants, again demanding that that the site cease and desist from providing Ziff Davis' works to the public. Finally, on August 7, 2008, Ziff Davis' Director of Intellectual Property sent a written letter to defendant, Salveo, at the physical address listed on its domain registration, again demanding that it cease and desist from providing Ziff Davis' works to the public. Ziff Davis did not receive any response to its emails or letter.

Defendants' Conduct is Causing Ziff Davis Irreparable Harm

16. This application is brought on by way of Order To Show Cause because expedited relief is necessary due to the irreparable harm Ziff Davis is suffering and will suffer from defendants' continued infringement of Ziff Davis' copyrights, trademarks and trade dress.

17. The defendants are engaging in the wholesale theft of content that Ziff Davis has expended considerable energy and expense to produce. Ziff Davis's magazines are the product of the hard work of scores of professionals, including those with specialized knowledge evaluating products in the company's industry leading testing labs. By offering that content for free, in direct competition with Ziff Davis' current newsstand and subscription sales and its own magazine websites and its sales through online partners, defendants divert revenue from Ziff Davis' own legitimate and authorized sales. That impact on revenue is unquantifiable as Ziff Davis has no way of knowing how many potential purchasers of Ziff Davis magazines have declined or will decline to purchase authorized copies because such potential purchasers can simply read the magazines online for free. Ziff Davis also has no way of knowing how many advertisers who currently advertise in Ziff Davis' magazines might otherwise be inclined to advertise on Ziff Davis' websites but, seeing their advertisements distributed for free on the mymagazines.com website, will decline to do so. Defendants' conduct undermines the entire publishing industry and is particularly galling in that the defendants use Ziff Davis's trademarks and magazine images to advertise its website, and then offer our products online in a way that replicates the experience of reading our magazines.

WHEREFORE, for the foregoing reasons, together with those set forth in the accompanying summons and complaint, declaration of other plaintiffs, and memorandum of law, your deponent respectfully prays for a temporary restraining order and preliminary injunction enjoining and restraining defendants from distributing or displaying Company's magazines, and from inducing and encouraging its users to upload our content.

Dated: August 19, 2008



Shirin Malkani

Exhibit A
To
Declaration of Shirin Malkani

**Receipt**

Copyright Office
Library of Congress
101 Independence Avenue SE
Washington, DC 20559-6000



No. 1-1FHNWM

Date: 8/14/2008 2:19:09 PM

Received

Form(s): SE/GROUP
Deposit Count: 6
Piece Count: 6
Type of Deposit: MAGAZINES
Other Enclosures: COVER LETTER
Title: ELECTRONIC GAMING MONTHLY & 1 OTHER
of Additional Titles: 1
Priority: Special Handling
Received By: CKNI
Of Documents:

☐ Search Report
☐ Search
☐ Retrieval
☐ Correspondence
☐ Inspection
☐ Photocopies
☐ Additional Certificate
☐ Certification
☐ Secure Test Exam

Other:

Received From: ZIFF DAVIS MEDIA / TARA GARFINKLE
28 EAST 28TH STREET

Phone: (212) 503-3554

NEW YORK, NY 10016-7930

Representing: ZIFF DAVIS PUBLISHING HOLDINGS INC

Phone:

Corresponding Id:

Fees	Method of Payment	Amount
No Fee: <input type="checkbox"/>	Check:	CHECK NO. 26519 FOR \$2,500.00
Fee to be Determined: <input type="checkbox"/>	Money Order:	
Base Fee: \$150.00	Deposit Account: 90786	
Special Handling Fee: \$1,370.00	Deposit Account Name:	ZIFF DAVIS PUBLISHING HOLDINGS INC
Secure Test Exam Fee: \$		
Total Due: \$1,520.00		

Total Payment: \$1,520.00**Special Handling**

Delivery Method: Hold for Pick-Up

Contact: TARA GARFINKLE

Organization: 212-503-3554

Notes

NOTE: DEPOSIT 2,500.00 CHECK IN REMITTER'S DEPOSIT ACCOUNT BEFORE CHARGING FOR THIS SUBMISSION.

Receipt of material is merely a preliminary step in the registration and/or recordation process. It does not imply that any final determination has been made in the case, or that the material is acceptable for registration.



STAMP & RETURN

TARA GARFINKLE
IP MANAGER

RECEIVED
AUG 14 2008
COPYRIGHT OFFICE
PUBLIC OFFICE

August 13, 2008

By Hand Delivery
Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

Re: **Group Copyright Application for ELECTRONIC GAMING
MONTHLY – and PC Magazine - For Expedited delivery**

Dear Sir or Madam:

Enclosed is one Form SE/Group application for the copyright registration of the July 2008, August 2008 and September 2008 issues of ELECTRONIC GAMING MONTHLY and the July 2008, August 2008 and September 2008 issues of PC Magazine, as well as a copy of each issue for deposit. Please charge the fees to **Deposit Account DA90785** in the name of Carolyn Schurr Levin.

Applicant would please have these applications expedited in order to meet a time deadline for litigation purposes.

Please call me at 212 503-3554 if there are any problems or questions in connection with this request. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tara Garfinkle'.

Tara Garfinkle
Director of Intellectual Property
Ziff Davis Publishing Holdings Inc.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.



REGISTRATION NUMBER

EFFECTIVE DATE OF REGISTRATION

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

EXAMINED BY CORRESPONDENCE ☐

DO NOT WRITE ABOVE THIS LINE.

1

List
in order of
publicationNo
previous
registration
under
identical
title

TITLE ▼

PC MAGAZINE

ISSN ▼

0888-8507

	Volume ▼	Number ▼	Issue date on copies ▼	Month, day, and year of publication ▼
1.	27	8	July 2008	May 6, 2008
2.	27	9	August 2008	June 3, 2008
3.	27	10	September 2008	July 8, 2008
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				

2

NAME AND ADDRESS OF THE AUTHOR/COPYRIGHT CLAIMANT IN THESE COLLECTIVE WORKS MADE FOR HIRE ▼

Ziff Davis Publishing Holdings Inc.
28 East 28th Street, New York, NY 10016

FOR NON-U.S. WORKS: Author's citizenship ▼

Domicile ▼

Nation of publication ▼

CERTIFICATION*: I, the undersigned, hereby certify that I am the copyright claimant or the authorized agent of the copyright claimant of the works identified in this application, that all the conditions specified in the instructions on the back of this form are met, that I have deposited two complimentary subscription copies with the Library of Congress, and that the statements made by me in this application are correct to the best of my knowledge.

Handwritten signature (X) Tara GarfinkleTyped or printed name Tara Garfinkle

PERSON TO CONTACT FOR CORRESPONDENCE ABOUT THIS CLAIM

Name Tara GarfinkleDaytime telephone (212) 503-3554

Address (if other than given below)

Fax (212) 503-3560Email tara_garfinkle@ziffdavis.comCertificate
will be
mailed
in window
envelope
to this
address:

Name ▼

Ziff Davis Media Inc., Attn: Tara Garfinkle

Number/Street/Apt ▼

28 East 28th Street, 11th Floor Legal Dept.

City/State/Zip ▼

New York, NY 10016

DEPOSIT ACCOUNT

Account number DA90786

Name of account

Carolyn Schurr Levin

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

*17 USC §506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Copyright Office fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.



REGISTRATION NUMBER

EFFECTIVE DATE OF REGISTRATION

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

EXAMINED BY

CORRESPONDENCE ☐

DO NOT WRITE ABOVE THIS LINE.

1

List
in order of
publicationNo
previous
registration
under
identical
title
☐

TITLE ▼

ISSN ▼

ELECTRONIC GAMING MONTHLY

1058-918X

	Volume ▼	Number ▼	Issue date on copies ▼	Month, day, and year of publication ▼
1.		230	July 2008	April 22, 2008
2.		231	August 2008	May 20, 2008
3.		232	September 2008	June 24, 2008
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				

2

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Ziff Davis Publishing Holdings Inc.
28 East 28th Street, New York, NY 10016

FOR NON-U.S. WORKS: Author's citizenship ▼

Domicile ▼

Nation of publication ▼

CERTIFICATION*: I, the undersigned, hereby certify that I am the copyright claimant or the authorized agent of the copyright claimant of the works identified in this application, that all the conditions specified in the instructions on the back of this form are met, that I have deposited two complimentary subscription copies with the Library of Congress, and that the statements made by me in this application are correct to the best of my knowledge.

Handwritten
signature (X)Typed or
printed name

Tara Garfinkle

PERSON TO CONTACT FOR CORRESPONDENCE ABOUT THIS CLAIM

Name Tara Garfinkle

Daytime telephone (212) 503-3554

Address (if other than given below)

Fax (212) 503-3560

Email tara_garfinkle@ziffdavis.com

Certificate
will be
mailed
in window
envelope
to this
address:

Name ▼

Ziff Davis Media Inc., Attn: Tara Garfinkle

Number/Street/Apt ▼

28 East 28th Street, 11th Floor Legal Dept.

City/State/Zip ▼

New York, NY 10016

DEPOSIT ACCOUNT

Account number DA90786

Name of account

Carolyn Schurr Levin

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6000

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UNITED STATES COPYRIGHT OFFICE

Form CO • Application for Copyright Registration**APPLICATION FOR COPYRIGHT REGISTRATION***** Designates Required Fields****1 WORK BEING REGISTERED****1a. * Type of work being registered (Fill in one only)**

- ☐ Literary work
 ☐ Performing arts work
☐ Visual arts work
 ☐ Motion picture/audiovisual work
☐ Sound recording
 ☒ Single serial issue



ApplicationForCopyrightRegistration

1b. * Title of this work (one title per space)

ELECTRONIC GAMING MONTHLY



WorkTitles

1c. For a serial issue: Volume Number 229 Issue June 2008 ISSN 1058-918X**1d. Previous or alternative title**

1e. * Year of completion 2 0 0 8

Publication (If this work has not been published, skip to Section 2)1f. Date of publication 05/06/2008 (mm/dd/yyyy) 1g. ISBN 1h. Nation of publication ☒ United States ☐ Other**1i. Published as a contribution in a larger work entitled**1j. If line 1i above names a serial issue Volume Number Issue 1k. If work was preregistered Number PRE- **For Office Use Only**

WorkBeingRegistered



UNITED STATES COPYRIGHT OFFICE

Form CO • Application for Copyright Registration**2 AUTHOR INFORMATION****2a. Personal name** **2b. * complete either 2a or 2b**

First Name Middle Last

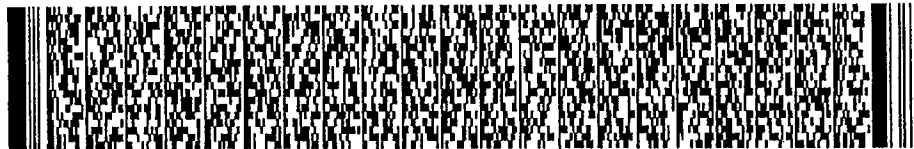
2b. Organization name **2c. Doing business as** **2d. Year of birth** **2e. Year of death**

2f. * ☐ Citizenship ☐ United States ☐ Other
☒ Domicile ☒ United States ☐ Other

2g. Author's contribution: ☒ Made for hire ☐ Anonymous
☐ Pseudonymous

Continuation of Author Information**2h. *** This author created (Fill in only the authorship that applies to this author)

☐ Text ☒ Compilation ☐ Map/technical drawing ☐ Music
☐ Poetry ☐ Sculpture ☐ Architectural work ☐ Lyrics
☐ Computer program ☐ Jewelry design ☐ Photography ☐ Motion picture/audiovisual
☐ Editing ☐ 2-dimensional artwork ☐ Script/play/screenplay ☐ Sound recording/performance

Other: **For Office Use Only**

AuthorInformation

Privacy Act Notice

Sections 408-410 of title 17 of the United States Code authorize the Copyright Office to collect the personally identifying information requested on this form in order to process the application for copyright registration. By providing this information you are agreeing to routine uses of the information that include publication to give legal notice of your copyright claim as required by 17 U.S.C. § 705. It will appear in the Office's online catalog. If you do not provide the information requested, registration may be refused or delayed, and you may not be entitled to certain relief, remedies, and benefits under the copyright law.



UNITED STATES COPYRIGHT OFFICE

Form CO • Application for Copyright Registration

3 COPYRIGHT CLAIMANT INFORMATION

First Claimant * complete either 3a or 3b

3a. Personal name

First Name

Middle

Last

3b. Organization name

Ziff Davis Publishing Holdings Inc.

3c. Doing business as

3d. Street address (line 1)

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

City

New York

State

NY

ZIP / Postal code

10016

Country

United States

Email

tara_garfinkle@ziffdavis.com

Phone number

212-503-3554

3e. If claimant is **not** an author, copyright ownership acquired by: ☐ Written agreement ☐ Will or inheritance ☐ Other

For Office Use Only



CopyrightClaimantInformation



UNITED STATES COPYRIGHT OFFICE

Form CO • Application for Copyright Registration

4 LIMITATION OF COPYRIGHT CLAIM

Skip section 4 if this work is all new.

4a. Material excluded from this claim (Material previously registered, previously published, or not owned by this claimant)

☐ Text
 ☐ Artwork
 ☐ Music
 ☐ Sound recording/performance
 ☐ Motion picture/audiovisual

Other:

4b. Previous registration(s)

Number

Year

Number

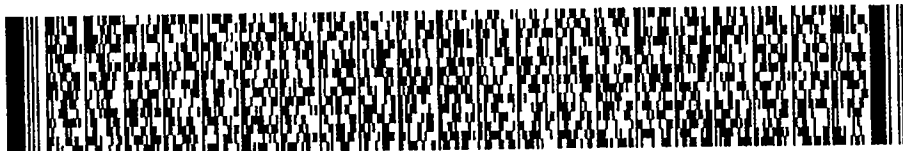
Year

4c. New material included in this claim (This work contains new, additional, or revised material)

<input type="checkbox"/> Text	<input type="checkbox"/> Compilation	<input type="checkbox"/> Map/technical drawing	<input type="checkbox"/> Music
<input type="checkbox"/> Poetry	<input type="checkbox"/> Sculpture	<input type="checkbox"/> Architectural work	<input type="checkbox"/> Lyrics
<input type="checkbox"/> Computer program	<input type="checkbox"/> Jewelry design	<input type="checkbox"/> Photography	<input type="checkbox"/> Motion picture/audiovisual
<input type="checkbox"/> Editing	<input type="checkbox"/> 2-dimensional artwork	<input type="checkbox"/> Script/play/screenplay	<input type="checkbox"/> Sound recording/performance

Other:

For Office Use Only



LimitationOfCopyrightClaim

5 RIGHTS AND PERMISSIONS CONTACT

☒ Check if information below should be copied from the first copyright claimant

First Name

Middle

Last

Tara

L

Garfinkle

Name of organization

Ziff Davis Publishing Holdings Inc.

Street address

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

City

State

ZIP / Postal code

Country

New York

NY

10016

United States

Email

Phone Number

tara_garfinkle@ziffdavis.com

212-503-3554

Privacy Act Notice

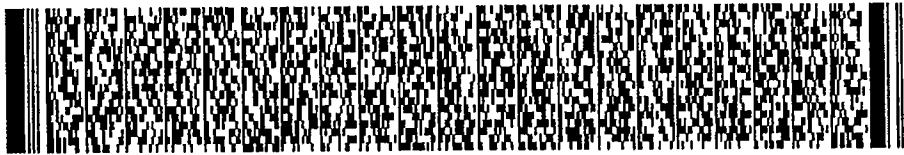
Sections 408-410 of title 17 of the United States Code authorize the Copyright Office to collect the personally identifying information requested on this form in order to process the application for copyright registration. By providing this information you are agreeing to routine uses of the information that include publication to give legal notice of your copyright claim as required by 17 U.S.C. § 705. It will appear in the Office's online catalog. If you do not provide the information requested, registration may be refused or delayed, and you may not be entitled to certain relief, remedies, and benefits under the copyright law.



UNITED STATES COPYRIGHT OFFICE

Form CO • Application for Copyright Registration

For Office Use Only



RightsAndPermissionsContact

6 CORRESPONDENCE CONTACT
☐ Copy from **first** copyright claimant ☒ Copy from rights and permissions contact

* First Name

Tara

Middle

L

* Last

Garfinkle

Name of organization

Ziff Davis Publishing Holdings Inc.

* Street address

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

* City

New York

State

NY

ZIP / Postal code

10016

Country

United States

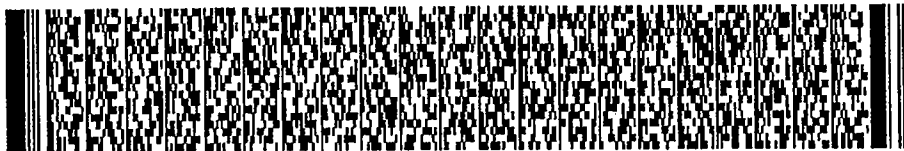
* Email

tara_garfinkle@ziffdavis.com

* Daytime phone number

212-503-3554

For Office Use Only



CorrespondenceContact

Privacy Act Notice

Sections 408-410 of title 17 of the *United States Code* authorize the Copyright Office to collect the personally identifying information requested on this form in order to process the application for copyright registration. By providing this information you are agreeing to routine uses of the information that include publication to give legal notice of your copyright claim as required by 17 U.S.C. § 705. It will appear in the Office's online catalog. If you do not provide the information requested, registration may be refused or delayed, and you may not be entitled to certain relief, remedies, and benefits under the copyright law.



UNITED STATES COPYRIGHT OFFICE

Form CO • Application for Copyright Registration**7 MAIL CERTIFICATE TO:**

☐ Copy from first copyright claimant ☐ Copy from rights and permissions contact ☒ Copy from correspondence contact

* First Name

Middle

* Last

Tara

L

Garfinkle

Name of organization

Ziff Davis Publishing Holdings Inc.

* Street address

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

* City

State

ZIP / Postal code

Country

New York

NY

10016

United States

For Office Use Only



MailCertificateTo



UNITED STATES COPYRIGHT OFFICE

Form CO - Application for Copyright Registration**8 CERTIFICATION**

17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

I certify that I am the author, copyright claimant, or owner of exclusive rights, or the authorized agent of the author, copyright claimant, or owner of exclusive rights, of this work, and that the information given in this application is correct to the best of my knowledge.

8a. Handwritten signature

Tara L. Garfinkle

8b. Printed name

8/13/2008

8c. Date signed**8d.** Deposit account number

Account holder

DA90785

Carolyn Schurr Levin

8e. Applicant's internal tracking number (optional)**For Office Use Only**

Certification

What are these barcodes for?

The Adobe® LiveCycle® Barcoded Forms bar-codes provide a facility to automate the extraction of data from paper forms and deliver it to core systems for processing. This dramatically reduces costs, **errors**, and time compared to manual data entry and solutions based on optical character recognition (OCR).

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THE No.1 VIDEOGAME MAGAZINE

EGMTM



HANDS-ON
**METAL
GEAR
SOLID 4**

We beat it! What
you need to know

ELECTRONIC GAMING MONTHLY 1UP.COM

RETRO REVIVALS

Forgotten franchises
return for Round Two!

Including the
world-exclusive
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- ☐ Literary work
 ☐ Performing arts work
☐ Visual arts work
 ☐ Motion picture/audiovisual work
☐ Sound recording
 ☒ Single serial issue



ApplicationForCopyrightRegistration

1b. * Title of this work (one title per space)

PC Magazine



WorkTitles

 1c. For a serial issue: Volume Number Issue ISSN

1d. Previous or alternative title

1e. * Year of completion **Publication** (If this work has not been published, skip to Section 2)1f. Date of publication (mm/dd/yyyy) 1g. ISBN 1h. Nation of publication ☒ United States ☐ Other

1i. Published as a contribution in a larger work entitled

1j. If line 1i above names a serial issue Volume Number Issue 1k. If work was preregistered Number PRE- **For Office Use Only**

WorkBeingRegistered



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2 AUTHOR INFORMATION

2a. Personal name

complete either 2a or 2b

First Name

Middle

Last

--	--	--

2b. Organization name

Ziff Davis Publishing Holdings Inc.

2c. Doing business as

--

2d. Year of birth

--	--	--	--

2e. Year of death

--	--	--	--

2f. * ☐ Citizenship ☐ United States ☐ Other
☒ Domicile ☒ United States ☐ Other

2g. Author's contribution: ☒ Made for hire ☐ Anonymous
☐ Pseudonymous

Continuation of Author Information

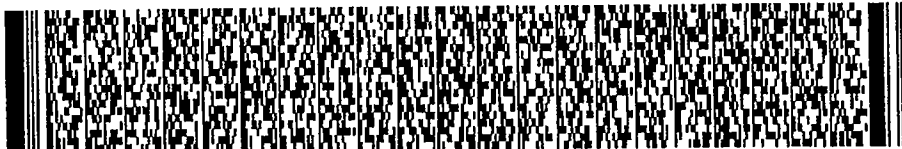
2h. * This author created (Fill in only the authorship that applies to this author)

<input type="checkbox"/> Text	<input checked="" type="checkbox"/> Compilation	<input type="checkbox"/> Map/technical drawing	<input type="checkbox"/> Music
<input type="checkbox"/> Poetry	<input type="checkbox"/> Sculpture	<input type="checkbox"/> Architectural work	<input type="checkbox"/> Lyrics
<input type="checkbox"/> Computer program	<input type="checkbox"/> Jewelry design	<input type="checkbox"/> Photography	<input type="checkbox"/> Motion picture/audiovisual
<input type="checkbox"/> Editing	<input type="checkbox"/> 2-dimensional artwork	<input type="checkbox"/> Script/play/screenplay	<input type="checkbox"/> Sound recording/performance

Other:

--

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AuthorInformation



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3 COPYRIGHT CLAIMANT INFORMATION

First Claimant * complete either 3a or 3b

3a. Personal name

First Name

Middle

Last

3b. Organization name

Ziff Davis Publishing Holdings Inc.

3c. Doing business as

3d. Street address (line 1)

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

City

State

ZIP / Postal code

Country

New York

NY

10016

United States

Email

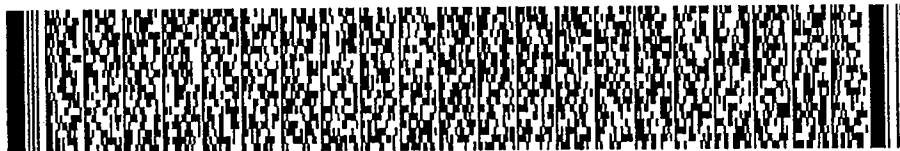
Phone number

tara_garfinkle@ziffdavis.com

212-503-3554

3e. If claimant is **not** an author, copyright ownership acquired by: ☐ Written agreement ☐ Will or inheritance ☐ Other

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Skip section 4 if this work is all new.

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 ☐ Artwork
 ☐ Music
 ☐ Sound recording/performance
 ☐ Motion picture/audiovisual

Other:

4b. Previous registration(s)

Number

Year

Number

Year

4c. New material included in this claim (This work contains new, additional, or revised material)

<input type="checkbox"/> Text	<input type="checkbox"/> Compilation	<input type="checkbox"/> Map/technical drawing	<input type="checkbox"/> Music
<input type="checkbox"/> Poetry	<input type="checkbox"/> Sculpture	<input type="checkbox"/> Architectural work	<input type="checkbox"/> Lyrics
<input type="checkbox"/> Computer program	<input type="checkbox"/> Jewelry design	<input type="checkbox"/> Photography	<input type="checkbox"/> Motion picture/audiovisual
<input type="checkbox"/> Editing	<input type="checkbox"/> 2-dimensional artwork	<input type="checkbox"/> Script/play/screenplay	<input type="checkbox"/> Sound recording/performance

Other:

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LimitationOfCopyrightClaim

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First Name

Middle

Last

Tara

L

Garfinkle

Name of organization

Ziff Davis Publishing Holdings Inc.

Street address

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

City

State

ZIP / Postal code

Country

New York

NY

10016

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Email

Phone Number

tara_garfinkle@ziffdavis.com

212-503-3554

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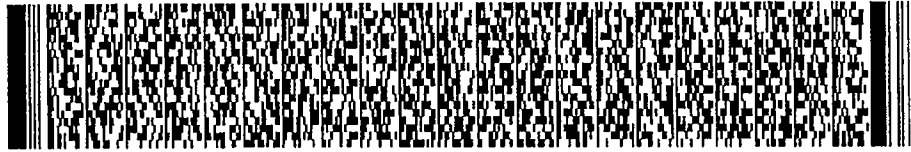
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☐ Copy from first copyright claimant
 ☒ Copy from rights and permissions contact

* First Name

Tara

Middle

L

* Last

Garfinkle

Name of organization

Ziff Davis Publishing Holdings Inc.

* Street address

28 East 28th Street

Street address (line 2)

11th Floor, Legal Dept.

* City

New York

State

NY

ZIP / Postal code

10016

Country

United States

* Email

tara_garfinkle@ziffdavis.com

* Daytime phone number

212-503-3554

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7 MAIL CERTIFICATE TO:

☐ Copy from **first** copyright claimant ☐ Copy from rights and permissions contact ☒ Copy from correspondence contact

* First Name

Middle

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Tara

L

Garfinkle

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Ziff Davis Publishing Holdings Inc.

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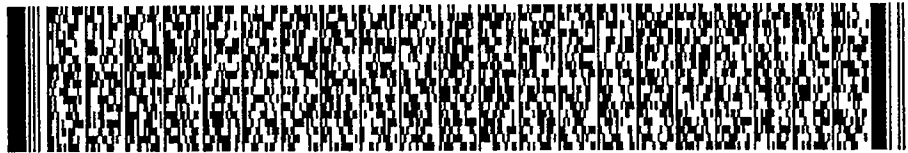
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17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

I certify that I am the author, copyright claimant, or owner of exclusive rights, or the authorized agent of the author, copyright claimant, or owner of exclusive rights, of this work, and that the information given in this application is correct to the best of my knowledge.

8a. Handwritten signature

Tara L. Garfinkle

8b. Printed name

8/13/2008

8c. Date signed**8d.** Deposit account number

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DA90785

Carolyn Schurr Levin

8e. Applicant's internal tracking number (optional)**For Office Use Only**

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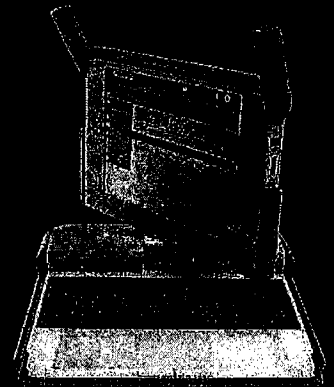
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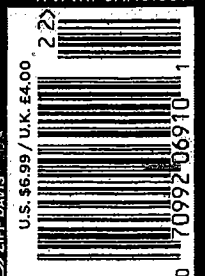
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